



Billing Code 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 64

Docket ID FEMA-2017-0002

[Internal Agency Docket No. FEMA-8497]

Suspension of Community Eligibility

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Final rule.

SUMMARY: This rule identifies communities where the sale of flood insurance has been authorized under the National Flood Insurance Program (NFIP) that are scheduled for suspension on the effective dates listed within this rule because of noncompliance with the floodplain management requirements of the program. If the Federal Emergency Management Agency (FEMA) receives documentation that the community has adopted the required floodplain management measures prior to the effective suspension date given in this rule, the suspension will not occur and a notice of this will be provided by publication in the Federal Register on a subsequent date. Also, information identifying the current participation status of a community can be obtained from FEMA's Community Status Book (CSB). The CSB is available at <https://www.fema.gov/national-flood-insurance-program-community-status-book>.

EFFECTIVE DATES: The effective date of each community's scheduled suspension is the third date ("Susp.") listed in the third column of the following tables.

FOR FURTHER INFORMATION CONTACT: If you want to determine whether a particular community was suspended on the suspension date or for further information, contact Patricia Suber, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 400 C Street SW., Washington, DC 20472, (202) 646-4149.

SUPPLEMENTARY INFORMATION: The NFIP enables property owners to purchase Federal flood insurance that is not otherwise generally available from private insurers. In return, communities agree to adopt and administer local floodplain management measures aimed at protecting lives and new construction from future flooding. Section 1315 of the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits the sale of NFIP flood insurance unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed in this document no longer meet that statutory requirement for compliance with program regulations, 44 CFR part 59. Accordingly, the communities will be suspended on the effective date in the third column. As of that date, flood insurance will no longer be available in the community. We recognize that some of these communities may adopt and submit the required documentation of legally enforceable floodplain management measures after this rule is published but prior to the actual suspension date. These communities will not be suspended and will continue to be eligible for the sale of NFIP flood insurance. A notice withdrawing the suspension of such communities will be published in the Federal Register.

In addition, FEMA publishes a Flood Insurance Rate Map (FIRM) that identifies the Special Flood Hazard Areas (SFHAs) in these communities. The date of the FIRM, if

one has been published, is indicated in the fourth column of the table. No direct Federal financial assistance (except assistance pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act not in connection with a flood) may be provided for construction or acquisition of buildings in identified SFHAs for communities not participating in the NFIP and identified for more than a year on FEMA's initial FIRM for the community as having flood-prone areas (section 202(a) of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4106(a), as amended). This prohibition against certain types of Federal assistance becomes effective for the communities listed on the date shown in the last column. The Administrator finds that notice and public comment procedures under 5 U.S.C. 553(b), are impracticable and unnecessary because communities listed in this final rule have been adequately notified.

Each community receives 6-month, 90-day, and 30-day notification letters addressed to the Chief Executive Officer stating that the community will be suspended unless the required floodplain management measures are met prior to the effective suspension date. Since these notifications were made, this final rule may take effect within less than 30 days.

National Environmental Policy Act. FEMA has determined that the community suspension(s) included in this rule is a non-discretionary action and therefore the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) does not apply.

Regulatory Flexibility Act. The Administrator has determined that this rule is exempt from the requirements of the Regulatory Flexibility Act because the National Flood Insurance Act of 1968, as amended, Section 1315, 42 U.S.C. 4022, prohibits flood insurance

coverage unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed no longer comply with the statutory requirements, and after the effective date, flood insurance will no longer be available in the communities unless remedial action takes place.

Regulatory Classification. This final rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

Executive Order 13132, Federalism. This rule involves no policies that have federalism implications under Executive Order 13132.

Executive Order 12988, Civil Justice Reform. This rule meets the applicable standards of Executive Order 12988.

Paperwork Reduction Act. This rule does not involve any collection of information for purposes of the Paperwork Reduction Act, 44 U.S.C. 3501 et seq.

List of Subjects in 44 CFR Part 64

Flood insurance, Floodplains.

Accordingly, 44 CFR Part 64 is amended as follows:

PART 64--[AMENDED]

1. The authority citation for Part 64 continues to read as follows:

Authority: 42 U.S.C. 4001 et seq.; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp.; p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp.; p. 376.

§ 64.6 [Amended]

2. The tables published under the authority of § 64.6 are amended as follows:

State and Location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current Effective Map Date	Date Certain Federal assistance no longer available in SFHAs
Region III				
Pennsylvania: Avondale, Borough of, Chester County.	421473	August 29, 1975, Emerg; November 4, 1987, Reg; September 29, 2017, Susp.	September 29, 2017	September 29, 2017.
Charlestown, Township of, Chester County.	421475	November 24, 1975, Emerg; December 4, 1984, Reg; September 29, 2017, Susp.	-do-*	-do-
Coatesville, City of, Chester County.	420274	December 26, 1974, Emerg; May 17, 1982, Reg; September 29, 2017, Susp.	-do-	-do-
Downingtown, Borough of, Chester County.	420275	December 3, 1971, Emerg; April 15, 1977, Reg; September 29, 2017, Susp.	-do-	-do-
East Brandywine, Township of, Chester County.	421476	November 21, 1975, Emerg; February 1, 1984, Reg; September 29, 2017, Susp.	-do-	-do-
East Fallowfield, Township of, Chester County.	421479	November 3, 1975, Emerg; June 1, 1983, Reg; September 29, 2017, Susp.	-do-	-do-
East Goshen, Township of, Chester County.	420277	January 21, 1972, Emerg; July 5, 1977, Reg; September 29, 2017, Susp.	-do-	-do-
East Marlborough, Township of, Chester County.	421480	March 28, 1975, Emerg; July 16, 1981, Reg; September 29, 2017, Susp.	-do-	-do-
East Nantmeal, Township of, Chester County.	421481	April 14, 1976, Emerg; February 1, 1984, Reg; September 29, 2017, Susp.	-do-	-do-
East Nottingham, Township of, Chester County.	421482	February 9, 1976, Emerg; September 4, 1985, Reg; September 29, 2017, Susp.	-do-	-do-
East Whiteland, Township of, Chester County.	420279	June 16, 1972, Emerg; June 1, 1989, Reg; September 29, 2017, Susp.	-do-	-do-
Elk, Township of, Chester County.	422286	January 14, 1975, Emerg; July 30, 1982, Reg; September 29, 2017, Susp.	-do-	-do-
Franklin, Township of, Chester County.	422288	July 6, 1983, Emerg; March 1, 1986, Reg; September 29, 2017, Susp.	-do-	-do-

State and Location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current Effective Map Date	Date Certain Federal assistance no longer available in SFHAs
Honey Brook, Township of, Chester County.	422290	November 10, 1975, Emerg; August 1, 1984, Reg; September 29, 2017, Susp.	-do-	-do-
Kennett Square, Borough of, Chester County.	420280	April 21, 1975, Emerg; July 16, 1981, Reg; September 29, 2017, Susp.	-do-	-do-
London Britain, Township of, Chester County.	422273	February 5, 1975, Emerg; December 31, 1982, Reg; September 29, 2017, Susp.	-do-	-do-
London Grove, Township of, Chester County.	422274	October 17, 1974, Emerg; February 11, 1983, Reg; September 29, 2017, Susp.	-do-	-do-
Londonderry, Township of, Chester County.	421484	December 12, 1974, Emerg; September 24, 1984, Reg; September 29, 2017, Susp.	-do-	-do-
Modena, Borough of, Chester County.	420282	October 10, 1974, Emerg; November 19, 1987, Reg; September 29, 2017, Susp.	-do-	-do-
New London, Township of, Chester County.	422276	May 13, 1975, Emerg; November 12, 1982, Reg; September 29, 2017, Susp.	-do-	-do-
North Coventry, Township of, Chester County.	420283	January 26, 1973, Emerg; August 15, 1978, Reg; September 29, 2017, Susp.	-do-	-do-
Oxford, Borough of, Chester County.	420284	June 17, 1975, Emerg; September 17, 1982, Reg; September 29, 2017, Susp.	-do-	-do-
Parkensburg, Borough of, Chester County.	422277	June 11, 1975, Emerg; June 1, 1983, Reg; September 29, 2017, Susp.	-do-	-do-
Penn, Township of, Chester County.	421487	October 15, 1975, Emerg; December 17, 1982, Reg; September 29, 2017, Susp.	-do-	-do-
Pennsbury, Township of, Chester County.	420285	September 29, 1972, Emerg; December 28, 1976, Reg; September 29, 2017, Susp.	-do-	-do-
Pocopson, Township of, Chester County.	420286	January 21, 1972, Emerg; April 15, 1977, Reg; September 29, 2017, Susp.	-do-	-do-
South Coventry, Township of, Chester County.	421490	April 29, 1975, Emerg; July 18, 1983, Reg; September 29, 2017, Susp.	-do-	-do-
Spring City, Borough of, Chester County.	420289	June 4, 1975, Emerg; March 16, 1981, Reg; September 29, 2017, Susp.	-do-	-do-
Tredyffrin, Township of, Chester County.	420291	September 17, 1971, Emerg; April 17, 1978, Reg; September 29, 2017, Susp.	-do-	-do-

State and Location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current Effective Map Date	Date Certain Federal assistance no longer available in SFHAs
Upper Oxford, Township of, Chester County.	422278	August 6, 1975, Emerg; February 25, 1983, Reg; September 29, 2017, Susp.	-do-	-do-
Upper Uwchlan, Township of, Chester County.	421491	March 10, 1976, Emerg; August 19, 1985, Reg; September 29, 2017, Susp.	-do-	-do-
Uwchlan, Township of, Chester County.	421492	October 11, 1974, Emerg; September 30, 1980, Reg; September 29, 2017, Susp.	-do-	-do-
Valley, Township of, Chester County.	421206	May 23, 1974, Emerg; August 1, 1984, Reg; September 29, 2017, Susp.	-do-	-do-
Wallace, Township of, Chester County.	421493	February 11, 1976, Emerg; March 11, 1983, Reg; September 29, 2017, Susp.	-do-	-do-
Warwick, Township of, Chester County.	421494	November 28, 1975, Emerg; March 1, 1984, Reg; September 29, 2017, Susp.	-do-	-do-
West Bradford, Township of, Chester County.	421495	February 10, 1975, Emerg; July 16, 1981, Reg; September 29, 2017, Susp.	-do-	-do-
West Brandywine, Township of, Chester County.	421496	August 6, 1975, Emerg; September 28, 1979, Reg; September 29, 2017, Susp.	-do-	-do-
West Caln, Township of, Chester County.	421497	May 19, 1976, Emerg; January 17, 1985, Reg; September 29, 2017, Susp.	-do-	-do-
West Marlborough, Township of, Chester County.	422279	May 20, 1975, Emerg; January 18, 1984, Reg; September 29, 2017, Susp.	-do-	-do-
West Pikeland, Township of, Chester County.	421151	April 10, 1974, Emerg; June 1, 1983, Reg; September 29, 2017, Susp.	-do-	-do-
West Sadsbury, Township of, Chester County.	422281	March 23, 1976, Emerg; August 5, 1985, Reg; September 29, 2017, Susp.	-do-	-do-
West Vincent, Township of, Chester County.	421499	August 11, 1975, Emerg; November 19, 1987, Reg; September 29, 2017, Susp.	-do-	-do-
West Whiteland, Township of, Chester County.	420295	November 5, 1971, Emerg; May 2, 1977, Reg; September 29, 2017, Susp.	-do-	-do-
Westtown, Township of, Chester County.	420294	November 26, 1971, Emerg; June 1, 1977, Reg; September 29, 2017, Susp.	-do-	-do-

State and Location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current Effective Map Date	Date Certain Federal assistance no longer available in SFHAs
Willistown, Township of, Chester County.	422282	October 17, 1974, Emerg; October 15, 1981, Reg; September 29, 2017, Susp.	-do-	-do-
Region IV				
Florida: Daytona Beach, City of, Volusia County.	125099	September 11, 1970, Emerg; September 7, 1973, Reg; September 29, 2017, Susp.	-do-	-do-
DeLand, City of, Volusia County.	120307	February 19, 1975, Emerg; December 22, 1980, Reg; September 29, 2017, Susp.	-do-	-do-
New Smyrna Beach, City of, Volusia County.	125132	May 14, 1971, Emerg; December 7, 1973, Reg; September 29, 2017, Susp.	-do-	-do-
Oak Hill, City of, Volusia County.	120624	N/A, Emerg; February 21, 1994, Reg; September 29, 2017, Susp.	-do-	-do-
Orange City, City of, Volusia County.	120633	June 1, 1990, Emerg; September 2, 1994, Reg; September 29, 2017, Susp.	-do-	-do-
Ormond Beach, City of, Volusia County.	125136	November 20, 1970, Emerg; September 7, 1973, Reg; September 29, 2017, Susp.	-do-	-do-
Ponce Inlet, Town of, Volusia County.	120312	May 28, 1974, Emerg; October 8, 1976, Reg; September 29, 2017, Susp.	-do-	-do-
South Daytona, City of, Volusia County.	120314	June 18, 1971, Emerg; October 3, 1976, Reg; September 29, 2017, Susp.	-do-	-do-
Kentucky: Henderson, City of, Henderson County.	210109	August 7, 1973, Emerg; June 15, 1978, Reg; September 29, 2017, Susp.	-do-	-do-
Henderson County, Unincorporated Areas.	210286	N/A, Emerg; April 10, 1991, Reg; September 29, 2017, Susp.	-do-	-do-
Region V				
Minnesota: Hallock, City of, Kittson County.	270226	July 3, 1974, Emerg; January 2, 1980, Reg; September 29, 2017, Susp.	-do-	-do-
Kennedy, City of, Kittson County.	270686	March 26, 1976, Emerg; August 5, 1986, Reg; September 29, 2017, Susp.	-do-	-do-
Kittson County, Unincorporated Areas.	270224	February 11, 1974, Emerg; February 4, 1981, Reg; September 29, 2017, Susp.	-do-	-do-
Lancaster, City of, Kittson County.	270231	June 19, 1975, Emerg; June 22, 1984, Reg; September 29, 2017, Susp.	-do-	-do-

State and Location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current Effective Map Date	Date Certain Federal assistance no longer available in SFHAs
Saint Vincent, City of, Kittson County.	270232	December 17, 1974, Emerg; September 2, 1982, Reg; September 29, 2017, Susp.	-do-	-do-
Wisconsin: Black River Falls, City of, Jackson County.	550186	April 7, 1975, Emerg; February 4, 1981, Reg; September 29, 2017, Susp.	-do-	-do-
Jackson County, Unincorporated Areas.	550583	September 30, 1975, Emerg; February 4, 1981, Reg; September 29, 2017, Susp.	-do-	-do-
Region IX				
Hawaii: Hawaii County, Unincorporated Areas.	155166	June 5, 1970, Emerg; May 3, 1982, Reg; September 29, 2017, Susp.	-do-	-do-

-do- =Ditto.

Code for reading third column: Emerg. —Emergency; Reg. —Regular; Susp. —Suspension.

Dated: August 29, 2017.

Michael M. Grimm,

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